

Sweet, J

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AXION POWER INTERNATIONAL, INC.,
WILLIAM AND TRACY AHEARN, H/W,
SALLY FONNER AND JAMES SMITH, M.D.,

Plaintiffs,

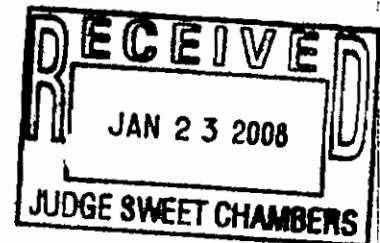
-against-

MERCATUS & PARTNERS, LTD., MF
GLOBAL, INC., MF GLOBAL, UK, Ltd., CARI
MASI a/k/a/ CARI MASI, BNP PARIBAS
SECURITIES SERVICES, BANCA MB S.P.A.,
DWIGHT PARSCALE, STEPHANO CEVOLO,
CONTINENTAL STOCK TRANSFER
ACCOUNT AND TRUST COMPANY, PENSON
FINANCIAL SERVICES, INC., AND BROWN
BROTHERS HARRIMAN & CO.,

Defendants.

07 CV 11493 (RWS)

STIPULATION



IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel, that the date by which defendant MF Global, Inc. must answer, move or otherwise
respond to the Complaint dated December 20, 2007, is extended to and including February 18,
2008; and

IT IS FURTHER STIPULATED AND AGREED that this stipulation shall not be
deemed a waiver of any rights, arguments or defenses available to the parties or in any way
impair such rights, arguments or defenses.

Dated: January 18, 2008

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Counsel for Plaintiff
Axion Power International, Inc.

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Counsel for Defendant
MF Global, Inc.

SO ORDERED:

U.S.D.J.
1-23-08

1-24-08